

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

OTIS MAYS,

Plaintiff,

v.

GRADY COUNTY JAIL,

Defendant.

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Case No. CIV-21-877-G

ORDER

Plaintiff Otis Mays, a federal prisoner appearing pro se, has filed an Amended Complaint (Doc. No. 32) alleging deprivations of his constitutional rights against multiple defendants. In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Gary M. Purcell for initial proceedings.

On June 23, 2023, Judge Purcell issued a Third Supplemental Report and Recommendation (“Third Suppl. R. & R.,” Doc. No. 175), in which he recommended that this action be dismissed with prejudice based on Plaintiff’s repeated noncompliance with Court orders and failure to participate in the discovery process. In the Third Supplemental R. & R., Judge Purcell advised Plaintiff of his right to object by July 13, 2023. Judge Purcell also advised that a failure to timely object would constitute a waiver of the right to appellate review of the factual findings and legal conclusions contained in the Third Supplemental R. & R. *See id.* at 16.

The Third Supplemental R. & R. was mailed to Plaintiff at his address of record, and there is no indication that it was not received. As of this date, Plaintiff has not objected to the Third Supplemental R. & R. or sought an extension of time to do so.¹

CONCLUSION

Accordingly, the Third Supplemental Report and Recommendation (Doc. No. 175) is ADOPTED in its entirety. This action is DISMISSED WITH PREJUDICE.

A separate judgment shall be entered.

IT IS SO ORDERED this 27th day of September, 2023.


CHARLES B. GOODWIN
United States District Judge

¹ Although Plaintiff has submitted several discovery-related filings (Doc. Nos. 176, 177, 178, 179), these do not reference the Third Supplemental R. & R. and, even liberally construed, cannot reasonably be characterized as an objection thereto.